

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CAROLINE DACOSTA, as Personal)
Representative and Administratrix for the)
Estate of JOSE L. DACOSTA, JR.)

Civil Action No.: 04cv12059 JLT

vs.)

CPR FISHING, INC.,)

PEARL BEAUVAIS, as Personal)
Representative and Administratrix for the)
Estate of JOHN BEAUVAIS)

vs.)

Civil Action No.: 04-12057 NG

CPR FISHING, INC.)

JOINT MOTION TO EXTEND DISCOVERY SIXTY (60) DAYS

The parties to this action hereby request that this Honorable Court extend the time for discovery by 60 days. As grounds therefore the parties state as follows:

1. The parties respectfully request a sixty-day extension of discovery. At the time of the Joint Scheduling Conference in the *DaCosta vs. CPR Fishing Inc.*, case there was pending a second case before another judge entitled, *Beauvais vs. CPR Fishing, Inc.* which arose out of the same accident. Neither the parties nor the Court considered the discovery needs of the *Beauvais vs. CPR Fishing, Inc.* case when entering the Joint Scheduling Conference Order in the *DaCosta vs. CPR Fishing, Inc.* case. Consequently, the Beauvais matter was not included in the Court's Scheduling Order. Additional time is needed to complete the Beauvais discovery, which necessitates this request. The parties further point out that since the Joint Scheduling Order was entered the Court has dismissed the non-pecuniary damage claims in both cases resulting in a non-jury trial. It is respectfully suggested that these cases, being non-jury, would be more easily scheduled by the court and the extension would not complicate the Court's existing calendar.
2. The collision between the F/V LONELY HUNTER and F/V KATRINA LEE occurred on September 8, 2003. As of yet, there have been no civil or criminal findings issued by the United States Coast Guard and/or the United States Attorney's office. It is our understanding that the civil findings are in the Coast Guard's Washington, D.C. office waiting approval. Further, after speaking with the U.S. Attorney's office in Boston, MA, it was communicated that a decision is imminent whether to issue a criminal complaint in this matter. These findings are crucial to both parties' cases.

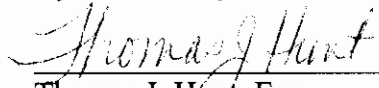
3. It has been brought to the Plaintiffs' attention, through interrogatories, that the crewmember, Steven Viera, who was at the helm of the F/V KATRINA LEE at the time of the accident, cannot be located. It is our understanding that he is incarcerated in a jail in the Commonwealth of Massachusetts. The plaintiff is in the process of trying to locate this crucial witness.
4. Both parties have retained experts for their cases. The experts are in possession of all materials needed to compose a report, although, there are no reports forthcoming.

WHEREFORE, the parties request that a continuance be allowed for the conference scheduled for July 11, 2005 and the discovery deadline be extended 60 days until September 1, 2005.

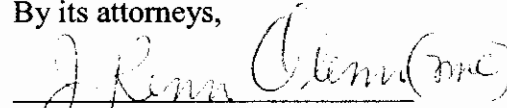
Date: 6-17-05

Respectfully submitted,
Plaintiff, Caroline DaCosta,
By her attorneys,

Plaintiff, Pearl Beauvais,
By her attorneys,


Thomas J. Hunt, Esq.
BBO# 244680
Frank S. Gattuso, Esq.
BBO# 653132
Thomas J. Hunt & Associates
18 North Water Street
New Bedford, MA 02740
(508) 994-7300 (Telephone)
(508) 984-0755 (Facsimile)

Defendant, CPR FISHING, INC.
By its attorneys,


J. Renn Olenn, Esq.
BBO# 642090
Olenn & Penza, LLP
530 Greenwich Avenue
Warwick, RI 02886
(401) 737-3700 (Telephone)
(401) 737-5499 (Facsimile)